

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

UNITED STATES OF AMERICA	)	Case No.: 2:17-CR-283
	)	
vs.	)	ORDER OF CONTINUANCE
	)	
ZAKARYIA ABDEL ABDIN	)	

This matter is before me by motion of the Defendant, made with the consent of the United States of America (“government”), for a continuance in this case until the next term of court. The Defendant requested the continuance because the case involves classified information, which may fall under the Classified Information Procedures Act, 18 U.S.C. App. III §§ 1-16 (CIPA), and because discovery is ongoing.

Under the Speedy Trial Act, the government is required to try a defendant within seventy days of indictment, or of arraignment. 18 U.S.C. § 3161(c)(1). The Defendant was arrested on a Complaint filed on March 31, 2017, which charged a violation of 18 U.S.C. § 2339B (attempting to provide material support to a foreign terrorist organization). On April 4, 2017, the Defendant was indicted by the grand jury and he was arraigned on April 4, 2017.

Under the Speedy Trial Act, certain periods of delay are permissible. 18 U.S.C. § 3161(h)(1). Delays of time attributable to specific events are excluded under the terms of the Act, including the filing of motions. 18 U.S.C. § 3161(h)(1)(D). In this case, the Defendant filed motions for discovery on April 6, 2017. Additionally, the Court has previously entered Orders to Continue, which also secures a delay. 18 U.S.C. § 3161(h)(7)(A).

Further, because this is a case which involves CIPA, there are additional complexities. Here, because of the classified nature of the discovery in the case and the factors relating to the dissemination of that information, I find that the nature of the prosecution is such that "it is

unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established .... " Title 18, United States Code, § 3161(h)(7)(B)(ii).

Therefore, under the provisions of the Speedy Trial Act of 1974, I find that the ends of justice served by the continuance outweigh the best interests of the public and the Defendant in a speedy trial.

It is therefore ORDERED that the above-case is continued from the current term of court until the next term of court.

AND IT IS SO ORDERED.

  
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RICHARD M. GERGEL  
UNITED STATES DISTRICT JUDGE

Charleston, SC

This 20<sup>th</sup> day of March, 2018.